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Patent

ATTORNEY DOCKET NO.: D0932-00415
[I-8776]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John O. Ruid et al.

Serial No.: not yet assigned

Group Art Unit: not yet assigned

Filed: herewith

Examiner: not yet assigned

For: **DUCT BOARD HAVING A FACING WITH ALIGNED FIBERS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service using express mail Post Office to addressee service, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

January 15, 2004
Date
Steven E. Koffs
Steven E. Koffs, Reg. No. 37,163

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

- ☒ [X] Together with the present application.
- ☐ [] Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. **[37 CFR § 1.97(b)]**
- ☐ [] After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. **[37 CFR § 1.97(c)]**
- ☐ [] After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. **[37 CFR § 1.97(d)]**

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ **Certification Under 37 CFR § 1.97(e)**

- ☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Provision of Copies of References

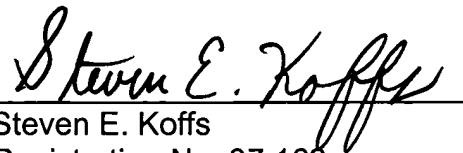
- ☒ Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).

- [X] A copy of each of the following two (2) references (also) listed on the attached Form PTO-1449 which are not U.S. Patents or U.S. Patent Application Publications are enclosed herewith and forms a part hereof:
- (1) Johns Manville Type PM 10/3 microlith glass fiber nonwoven, November 2003
- (2) Johns Manville Type PM 10/3 microlith glass fiber nonwoven, December 2003
- [] Partial Translations of References are enclosed herewith and form a part hereof.
- [] A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- [] A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- [X] This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). 10/141,595, filed May 8, 2002. All references listed on the enclosed form PTO-1449 except for the above 2 enclosed references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- [x] The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,



Steven E. Koffs
Registration No. 37,163
Attorney for Applicant(s)

DATE: January 15, 2004

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

11

Complete if Known

Application Number	not yet assigned
Filing Date	herewith
First Named Inventor	John O. Ruid
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	D0932-00415

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2001/0033782 A1	10-25-2001	Conley	
		US- 2001/0033926 A1	10-25-2001	Matthews et al.	
		US- 2002/0127399 A1	09-12-2002	Mankell et al.	
		US- 2002/0146521 A1	10-10-2002	Toas et al.	
		US- 2003/0008092 A1	01-09-2003	Toas et al.	
		US- 2003/0068943 A1	04-10-2003	Fay	
		US- 2,341,130	02-08-1944	T.A. Unsworth	
		US- 2,467,291	04-12-1949	J.O. Brelsford et al.	
		US- 2,619,151	11-25-1952	H.O. Sheidley	
		US- 2,647,857	08-04-1953	W.A. Horne	
		US- 2,825,389	03-04-1958	J.F. Stephens	
		US- 3,002,857	10-03-1961	Stalego	
		US- 3,025,197	03-13-1962	H.O. Sheidley	
		US- 3,092,529	06-04-1963	A. J. Pearson	
		US- 3,093,037	06-11-1963	H. D. Ward, Jr.	
		US- 3,212,529	10-19-1965	W.L. Ullman et al.	
		US- 3,394,737	07-30-1968	B. G. Hoffmann et al.	
		US- 3,420,142	01-07-1969	L. R. Gale et al.	
		US- 3,549,473	12-22-1970	Le Blanc et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ Kind Code ⁵ (if known)				
		EP 0763690 A2	03-19-1997			<input checked="" type="checkbox"/>
		ES 9402661	12-20-1994			<input type="checkbox"/>
		FR 1137652	06-03-1957	Owens Corning Fiber...		<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2 of 11**Complete if Known**

Application Number	not yet assigned
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Art Unit	not yet assigned
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		Number-Kind Code ² (if known)			
		US- 3,557,840	01-26-1971	Maybee	
		US- 3,605,534	09-20-1971	W. H. Barr	
		US- 3,615,969	10-26-1971	Hegg	
		US- 3,642,554	02-15-1972	Hensley	
		US- 3,768,523	10-30-1973	Schroeder	
		US- 3,861,425	01-21-1975	Clark	
		US- 3,867,221	02-18-1975	Chant	
		US- 3,885,593	05-27-1975	Koerber et al.	
		US- 3,915,783	10-28-1975	Goppel et al.	
		US- 4,005,234	01-25-1977	Stroupe	
		US- 4,067,678	01-10-1978	Beranek, Jr. et al.	
		US- 4,101,700	07-18-1978	Ray, Jr. et al.	
		US- 4,175,159	11-20-1979	Raleigh	
		US- 4,183,379	01-15-1980	Marquette et al.	
		US- 4,196,755	04-18-1980	Kutnyak et al.	
		US- 4,243,075	01-06-1981	McPherson et al.	
		US- 4,304,267	12-08-1981	Campbell, Jr.	
		US- 4,310,585	01-12-1982	Shannon	
		US- 4,389,587	01-26-1984	Takeda et al.	

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		Number-Kind Code ² (if known)			
		US- 4,456,637	06-26-1984	Takeda et al.	
		US- 4,528,053	07-09-1985	Auer	
		US- 4,573,715	03-04-1986	Armbruster	
		US- 4,621,013	11-04-1986	Holtrop et al.	
		US- 4,680,070	07-14-1987	Hughes	
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		US- 4,968,556	11-06-1990	Jain	
		US- 4,983,081	01-08-1991	Cunningham, Jr.	
		US- 4,990,370	02-05-1991	Terry et al.	
		US- 5,020,481	06-04-1991	Nelson	
		US- 5,025,052	06-18-1991	Crater et al.	
		US- 5,144,795	09-08-1992	Field	
		US- 5,169,700	12-18-1992	Meier et al.	
		US- 5,186,704	02-16-1993	Cunningham, Jr.	
		US- 5,300,592	04-05-1994	Kanagawa et al.	

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		Number-Kind Code ² (if known)			
		US- 5,310,594	05-10-1994	Holland et al.	
		US- 5,314,719	05-24-1994	Batdorf et al.	
		US- 5,370,919	12-06-1994	Fieuws et al.	
		US- 5,379,806	01-10-1995	Matthews et al.	
		US- 5,385,610	01-31-1995	Deerer et al.	
		US- 5,421,938	06-06-1995	Cunningham, Jr.	
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		US- 5,528,904	06-25-1996	Jones et al.	
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		US- 5,625,999	05-06-1997	Buzza et al.	
		US- 5,750,225	05-12-1998	Petty	
		US- 5,762,109	06-09-1998	Matthews et al.	
		US- 5,765,586	06-16-1998	Facas et al.	
		US- 5,783,268	07-21-1998	Noonan et al.	
		US- 5,783,623	07-21-1998	Skoufis et al.	
		US- 5,836,357	11-17-1998	Kittson et al.	

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		Number-Kind Code ² (if known)			
		US- 5,953,818	09-21-1999	Matthews et al.	
		US- 5,958,137	09-28-1999	Caldwell et al.	
		US- 5,985,429	11-16-1999	Plummer et al.	
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		US- 6,207,245 B1	03-27-2001	Miller et al.	
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		US- 6,231,927 B1	05-15-2001	Ruid	
		US- 6,270,865 B1	08-07-2001	Noonan et al.	
		US- 6,331,350 B1	10-01-2002	Matthews et al.	
		US- 6,457,237 B1	10-01-2002	Matthews et al.	
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		First Named Inventor	John O. Ruid
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Examiner Name	not yet assigned		
Sheet 7	of 11	Attorney Docket Number	D0932-00415

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CertainTeed Corporation, "Specification Sheet – Ultra*Duct™ Gold", March 2002.	
		CETIAT "Test Report" July 24, 1991, 6 pages (including translation attached)	✓
		Climaver® 234	
		Climaver® 254	
		Climaver® 264	
		Climaver 284-234 "Construction and self-support air conditioning ducts", 18 pages (including translation attached)	✓
		Climaver Plata - Specification of a Product - relevance on first page density 70 kg/m ³ (no translation attached)	
		Elasti-Glass® R3100B Series - Glass Fiber Mats, Schuller, 2 pages, May 1997	
		France-Air, "Glass Fibre panels for air ducts" 21 pages (including translation attached)	
		French Republic, National Testing Laboratory, November 28, 1998, 18 pages (including translation attached)	✓

Examiner Signature		Date Considered	
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		Application Number	not yet assigned
		Filing Date	herewith
		First Named Inventor	John O. Ruid
		Art Unit	not yet assigned
		Examiner Name	not yet assigned
Sheet 8	of 11	Attorney Docket Number	D0932-00415

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Glasuld "Product Data-Industrial Sheet Black" Sheet: 172 page 1, November 1989, 1 page (14 pages, including translation of parts of the Danish ventilation attached)	✓
		Glasuld "Ventilations-Kanaler"	
		Isover "Gama Climaver"	
		Isover Gullfiber - translation of the relevant parts of the Swedish Product Catalogue for Technical Insulation March 1989	✓
		Isover "Price List" January 1991, 51 pages (including translation attached)	✓
		Isover Saint-Gobain "Roche & Verre-Insulation and Air Conditioning, March 1990, 8 pages (including translation attached)	✓
		Johns-Manville, "Air Handling Systems – Linacoustic RC™ Fiber Glass Duct Liner with Reinforced Coating System," (preliminary product information), AHS-329 February 2002	
		Johns-Mansville, "Air Handling Systems - SuperDuct™ Coated High Performance Air Duct Board, Type 475 & 800, AHS 200 June 2000	
		Johns-Mansville Fiber Glass, "Micro-Aire Duct Systems Fabrication Manual", USA	
		Johns-Manville Manufacturing, "Finished Product Specification - Micro-Aire Duct Board Standard Duty Heavy Duty Spec No. 4365-15", 1971 – 1973, USA	

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		Johns-Manville Manufacturing, "Product Specification - Micro-Aire Duct Board Standard Duty Heavy Duty Spec No. 4365-20", 1971 - 1973, USA	
		Johns-Manville, "Type PM 10/3 microlith® - glass fiber nonwoven"	
		Johns-Manville, "Type PM 10/4 microlith® - Glass Fiber Nonwoven"	
		Knauf Air Duct Bd., Form No. AH-SS-2 - Effective: 1/98, 2	
		Knauf Fiber Glass GmbH, "Submittal Sheet - Air Duct Board-M with Hydroshield Technology", October 2000, USA	
		Knauf Fiber Glass Insulation - Products, 7 pages, Feb. 2002	
		North American Insulation Manufacturers Association, "Fibrous Glass Commercial Insulation Boards", Insulation Facts #67, www.naima.org	
		North American Insulation Manufacturers Association, "Fibrous Glass Duct Construction Standards", 2nd Edition, 1993.	
		North American Insulation Manufacturers Association, "Fibrous Glass Duct Wrap", Insulation Facts #66, www.naima.org.	
		Owens Corning, "Submittal Sheet - Aeromat Duct Liner", May 2001, USA	

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		Owens Corning, "Submittal Sheet - EnDura Coat Duct Board", May 2001, USA	
		"Precision Coating Rods and Laboratory Products," Industry Tech, Oldsmar, FL	
		Roclaine Isover, "Recommended Prices January 1993," Cristaleria Espanola S.A., Insulation Division, January 1993, 3 pages (translation attached)	✓
		"Smooth Stainless Steel Rods, etc.", RD Specialites, Webster, NY	
		Testing Data from the Competitive Audit on March 25, 1999, 3 pages	
		Ulta Additives Catalog, DEE FO/AGITAN defoamers, reprinted 01/21/2003 from http://www.ultraadditives.com	
		Underwriters Laboratories Inc., "Report on Air Ducts", June 8, 1992, Northbrook, Illinois, USA	
		Underwriters Laboratories Inc., "Gas and Oil Equipment 1993"	
		Underwriters Laboratories Inc., "Gas and Oil Equipment 1994"	
		Underwriters Laboratories Inc., "Gas and Oil Equipment 1995"	

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		Underwriters Laboratories Inc., "Investigation of 'Climaver 284' Air Duct Board", December 19, 1991, Northbrook, Illinois, USA	
		WEISS, HERBERT L., "Coating and Laminating, Converting Tech. Co., Milwaukee, WI, pp. 7-9, 196-202, 1977	
		"Wire Wound Rod," Lembo-ITTI, http://www.lembo-itti.com/fx170005.htm 10/20/98	

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		Aircon, "Ventilation, Extraction and Air Conditioning – Installation Materials", November 1991.	✓
		CertainTeed Corporation, "Certa*Faced Ultra*Duct Marketing Plan", November 22, 1993	✓
		CertainTeed Corporation, CertainTeed Building Solutions, "Product Information," CertainTeed Duct Insulation.	
		CertainTeed Corporation, "List Prices – ToughGard™ Duct Board", October 1, 1994, Valley Forge, Pennsylvania, USA	
		CertainTeed Corporation, "Product Specification: PS 57.00", May 23, 1994.	
		CertainTeed Corporation, "Product Sheet – ToughGard™ Duct Board Fiber Glass Duct Board Systems", 1994, Valley Forge, Pennsylvania, USA.	
		CertainTeed Corporation, "Raw Material Specification: Certa*Faced Ultra*Duct Mat Facing", June 23, 1994.	
		CertainTeed Corporation, "Specification Sheet – ToughGard™ Duct Board with Enhanced Surface", January 2002.	
		CertainTeed Corporation, Spec. Sheet, - ToughGard™ Duct Board, 2 pages, February 2002	
		CertainTeed Corporation, "Specification Sheet – ToughGard™ Duct Liner with Enhanced Surface", 2001	

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